Pet-7 12-1900

G. R. S. IX-5]

Previous references.

1896-97

~~191~~ .

(L . R.)

File No. 85-96

Serial Nos. 1-7

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-7

Part B for July 1897

SUBJECT.

Compensation to Mukunda Rao Sindhe for survey number 114, submerged by the restoration of Mavinhally tank.

W D 1250—GPB—30,000 - 28-1-19

Subd

L.R. 85-96-1

189

No. 500.

Name of Petitioner, Chikkanda Row Sillidar no 60 - 2d Regiment

Village,

Taluk, Bangalore

District, Bangalore.

Date of Arzi, 4th Aug 96.

Date of Receipt, 5th Aug 96

Date of Disposal,

No. of Enclosure, 2

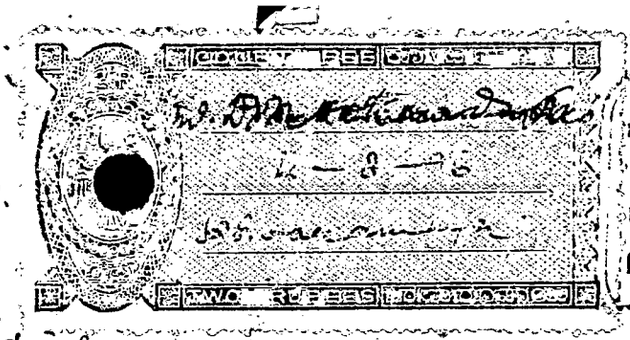
ABSTRACT.

Appeals against the Order of the Dy Comr Tumkur Dt. dy 27-5-95 communicated to him by Asstt Comr's notice dy 24/28 5/95.

The notice is as follows:- With reference to the submersion of your land (Survey no 114 - acre 1 - gun 39 - assessment 6R) behind the Chengavi tank, Chitradurga Taluk, by the Maisamudra tank water, the Dy Comr has ordered that if you do not want the land you are required to dispose to that effect and in case you wish to retain it, you should remit by Money Order the Kandayam and Local fund within 30 days after the receipt of this notice.

Petitioner appeals on the grounds that he is entitled either to a compensation or to a separate piece of land instead, and that the order of the Deputy Commissioner is against the Revenue Rules in force; and begs that his case may be heard in person and that the Deputy Commissioner may be directed not to execute his order pending the disposal of this appeal.

8/8/96
D.D.



Spent
5-8-96

one Two Rupees Stamp affixed.
5/8/96

To
The Government of Mysore
Bangalore.

Revenue Appeal No /96-97.

Petitioner (Appt)
Mukund Rao
Silidar No 40, 2d
Regiment, Bangalore

The appellant-Petr above named respectfully begs to Appeal against the order of the Dy Comr Anantapur dated 27/5/96 on the following grounds:—

1. That your Petr is the Pattadar of Survey No 114 in the village of Chengam, Gutti Taluk, Anantapur District.

2. That after the Petr was given the land about 3 years ago, he cultivated it for only one year and enjoyed the produce thereof.

3. That about 2 years ago, the Petr's land was merged in the Tank bata for the village of Chowkally.

4. That the Petr preceded petitioner to the Amildar & the Dy Comr stating that a separate land instead of the Petr's may be given or the compensation be ordered to be paid and, he pleaded him to several times.

5. That up to date the Amildar has not

been pleased to give any reply to your Petr who is very poor.

6. That the Dy Com^r has been pleased to issue the accompanying notice dy 24/28 May 1895 and the Endorsement No 238 written taking your poor Petrs case into Consideration.

7. That on a perusal of these, the Court at once comes to a conclusion that your Petr is entitled either for the Compensation or for a separate land as mentioned in his petition.

8. That your Petr most respectfully prays that his poor case may be taken into consideration and that the order of the Dy Com^r to pay the Amount may be set aside and that orders be issued to the Amildar of the Dy Com^r to give either a land separately or the compensation as the Govt thinks fit. That your Petr also submits that the Order of the Dy Com^r is quite against the Revenue Rules in force which will be explained by your Petr at the date of hearing. That he also prays that the Dy Com^r may be directed not to execute the order pending the disposal of this appeal.

ಕನ್ನಡಲಿಪಿಯಲ್ಲಿ ಸಹಿ

Bangalore
4th Aug^t 1896

References

(8)

1896

No. 677

Name of Petitioner, Sir Kempton Lecesne

Village, Hampton

Taluk,

District,

Date of Arzi, 19-8-96

Date of Receipt, 20-8-96

Date of Disposal,

No. of Enclosure, Nil

I.R. 85-92-3

ABSTRACT.

Petition
20/8/96

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. NR 6770
DATE 20-8-96

677

19.8.96.

(5)

REVENUE DEPARTMENT
Gl. No. 4777
No. 6445
189

From The Secretary, Land Revenue Department.

To The Secretary to the Govt. of Bengal, Financial Department.

Dated 15th Jan 97.

Despatched 4th Jan 97.

Received

General No. 2 2 7.
No.

Enclosure No. 4 Berhampore file

Subject: Report on the petition of Kaundayini Debi, dated 2nd September 1896.

Reporting on the petition of Kaundayini Debi

Petition
20/1/97
M
28/1

Submitted with reference to the Revenue Councillor's order on the attached petition of 4-2-96

Put up
24.

L.R. 55-96-5

One of the questions raised in the petn - viz in regard payment of Kanungoi on the land by petr does not call for observations by the Court. It reports that the assessment of the surrendered numbers has been written off in the accounts of the Collectorate.

Not a Council case

Sub D 2nd Councillor

M
27/1

Receipt
27/1.

Whereupon the Collector was directed to submit an account of the sale and the Kanungoi's fee was allowed to be deducted from the land in the event of the sale taking place. A year after the sale the petitioner presented a petition praying that the Collector be directed to refund the Kanungoi's fee which was granted by the Board. Now the petitioner prays that the Board may order the refund of the Kanungoi's fee which was allowed to be deducted from the land in the event of the sale taking place.

Petr's pleader absent since 4-2-96
Petition filed 4/2/96
Petr's pleader absent since 4-2-96
Petition filed 4/2/96

Petr's pleader absent since 4-2-96
Petition filed 4/2/96

Petr's pleader absent since 4-2-96
Petition filed 4/2/96

No: 627

Revenue

File

Deputy Commissioner's office
Tumkur District
Dated, Tumkur, 5th January, 97.

To
The Secretary to the Government
of Mysore, General and Revenue
Departments.

Sir,

With reference to your official Memo No: Pet 436 dated, 2nd September, 96 forwarding for report a petition from Siddananda Rao Sinde, praying for the grant of Conpensation or of land in exchange for Survey No: 114 in the village of Chengavee in the Gubbi Taluk, submerged by the restoration of the Channahalli Tank, I have the honor to state as follows:-

2. Petitioner's Survey No: 114 is entitled under the Chengavee Tank. On the restoration of that Tank in 1896, the lands irrigable from it were sold by public auction, & the lands sold, Petitioner purchased Survey No 114 for Rupees 40/-. In 1895, the Channahalli Tank situated below

the Chengave canal was also rectored. In consequence of such rectoration, Petitioner No: 14 and several other numbers under the Chengave tank were submerged. The assessment of the submerged numbers has been duly written off the accounts.

3. Petitioner now prays for the grant of compensation, or of land in exchange for his survey No: 14. His case has to be dealt with along with that of others whose lands were also submerged by the rectoration of the Mavinahalli tank. The Mavinahalli tank work was in full swing when the Chengave lands were granted for cultivation in March 1873, the work having been commenced in April 1872, or a year previously and it may be presumed that the purchasers of these lands at the sale held in

e March, 1893 were fully aware of their liability to confiscation, though the fact was not expressly mentioned in the sale Notification. It is therefore a question whether the owners of the encharged lands are entitled to any compensation at all. If the Government decide that they should receive compensation, the price paid by them at the time of the sale, may, I think, as a matter of grace, be refunded to them. This will involve a refund of Rs. 2970-14-0 as shown in the accompanying list.

4. The Petition and its Enclosures and the records of the case bearing with Quiri, Tuticorin No 714 dated 735
15th November, 1893 are herewith submitted

I have the honor to be
Sir
Your most obedient servant

Deputy Commissioner

List showing the amount derived from the sale of Consideration Site Chenapare Tank and which submerged by the restoration of the Hiranandalli Tank in the Gerbie Taluk.

Survey number	Extent	Assessment	Sale Amount	
	A. G.	Rs. As. P.	Rs. As. P.	
97	2 2	5 8 -	5 - -	
98	2 2	5 8 -	7 - -	
48	- 31	2 4 -	6 - -	This No: measures 2-2 with an assessment of 6 Rupees was sold for Rupees 5--
54	- 24	1 4 -	15 - -	This No: measures 1-37 with an assessment of 2 Rupees and was sold for Rupees 5--
62	- 32	2 - -	8 - -	This No: measures 1-22 with an assessment of Rupees 4 and was sold for Rs: 8--
65	- 33	2 4 -	3 - -	This No: measures 1-29 with an assessment of Rupees 4-- and was sold for Rupees 3--
66	- 31	2 - -	3 12 -	This No: measures 1-33 with an assessment of Rs: 4-- and was sold for Rupees 3-12
68	- 38	2 8 -	3 4 -	This No: measures 1-37 with an assessment of Rupees 5-- and was sold for Rs: 3-4
69	4 32	3 - -	60 - -	This No: measures 2-8 with an assessment of Rs: 4-8 and was sold for Rupees 60--
70	3 16	2 12 -	4 - -	
63	- 9	- 4 -	4 4 -	This No measures 1-9 with an assessment of Rupees 1-8 and was sold for Rs: 4-4
61	- 26	1 5 -	2 8 -	This No measures 1-6 with an assessment of 2-8 and was sold for Rupees 2-8
67	1 30	4 8 -	2 8 -	
88	1 21	1 - -	50 - -	
91	1 28	1 - -	20 - -	
110	2 -	6 - -	48 - -	
57	1 13	3 8 -	7 - -	
58	1 11	3 8 -	11 - -	
74	2 26	7 - -	1 4 -	
75	2 11	6 - -	1 - -	
111	2 -	6 - -	28 - -	
112	1 39	6 - -	33 - -	
113	2 -	6 - -	35 - -	
114	1 39	6 - -	40 - -	
115	1 39	6 - -	41 - -	
116	1 39	6 - -	54 - -	
117	2 -	6 - -	41 - -	
119	1 39	6 - -	41 - -	
121	2 14	6 - -	15 - -	
96	2 9	6 - -	6 8 -	
83	2 17	7 - -	- 8 -	
73	1 10	3 8 -	- 5 -	
79	2 17	7 - -	1 - -	

72	2	26	7	"	"	6	4	"			
102	1	24	4	8	"	3	0	4	"		
63	1	14	4	"	"	3	8	"			
64	"	39	3	"	"	2	12	"			
57	1	31	5	8	"	4	8	"			
78	1	9	3	8	"	3	8	"			
77	1	19	4	"	"	"	6	"			
56	1	22	2	12	"	3	4	"			
76	2	2	5	8	"	"	8	"			
80	1	20	4	"	"	"	8	"			
84	1	38	5	"	"	"	4	"			
85	1	32	5	"	"	"	4	"			
87	1	12	3	8	"	"	4	"			
89	1	25	1	"	"	1	"	"			
90	1	26	1	"	"	1	"	"			
92	2	12	6	"	"	"	4	"			
93	1	35	5	"	"	"	4	"			
94	2	2	5	8	"	"	8	"			
60	1	24	4	8	"	11	2	"			
81	1	20	4	"	"	"	8	"			
82	1	19	4	"	"	1	4	"			
86	1	31	4	5	"	"	4	"			
95	2	9	6	"	"	2	"	"			
99	2	1	6	"	"	17	"	"			
103	2	"	6	"	"	43	"	"			
101	2	"	6	"	"	22	"	"			
107	2	"	6	"	"	53	"	"			
108	2	"	6	"	"	51	"	"			
109	2	12	6	"	"	42	"	"			
Total	139	20	275	8	"	370	4	"			

Tumkur
15th January
1897

Narasimha Rao
Deputy Commissioner
Tumkur District
EV

(6)

Proceedings of the Govt of Mysore

Read:—

(1) Petition No. 500 dated 4th Augt 1896, from Nanjundaiah Sinde, Silladar No. 40, 2nd Regt. Bangalore, praying for another Cawl in lieu of S. No. 114 of Chengavi village, Gubbi Taluk, said to have been submerged by the repair of the Hariharahalli Tank, or for Payment of compensation.

(2) Letter No. 627/8 15th Jany 1897, from the Deputy Commr, Tumkur District, reporting that Petn's Survey No 114 is situated below the Chengavi Tank, that on the restoration of that Tank in 1893, the land irrigable from it were sold by public auction that at the sale attended Petr purchased S. No. 114 for Rs 4 of

that

K.R. 55-96-6

that in 1895 the Kaminaki land situated below the Klengarie land was also reclaimed, that in consequence of such reclamation Lots No. 114 and several other numbers under the Klengarie land were submerged and that the assessment thereof was duly written off the account, that Pete's case has to be dealt with along with that of others whose lands were also submerged by the reclamation of the Kaminaki land, and that if the Govt decide that they should receive compensation, the price paid by them at the time of the sale, may, as a matter of grace, be refunded to them.

P

Order thereon is 7126 P.1275 C

Case V. file 6.2.97

The refund of the sale amount is nothing but an act of justice. The Kandigam was written off and the land treated in the Khards only a year after it

had

500

19-7-97

(8)

LR. 85-96-7

"Bye now"

Affd

18/7/97